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Dated: Dec. 22, 2005 Signature: *Lisa Adams*
(Lisa Adams)

Docket No.: 101896-0245
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nam T. Chao et al.

Application No.: 10/709,019

Filed: April 7, 2004

For: SPINAL CROSS-CONNECTORS

Confirmation No.: 3018

Art Unit: 3733

Examiner: A. Reimers

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (SIDS)

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

Applicants also bring to the attention of the Examiner the following commonly-owned, co-pending applications:

U.S. Patent Appl. No. 10/262,502, entitled "POLYAXIAL CROSS CONNECTOR," filed on October 1, 2002 (Atty. Docket No. DEP820);

U.S. Patent Appl. No. 10/237,508, entitled "SNAP-ON SPINAL ROD CONNECTOR," filed on September 9, 2002 (Atty. Docket No. 101896-101);

U.S. Patent Appl. No. 10/929,095, entitled "DUAL ROD CROSS CONNECTORS AND INSERTER TOOLS," filed on August 27, 2004 (Atty. Docket No. 101896-268);

U.S. Patent Appl. No. 10/908,845, entitled "SPINAL CROSS-CONNECTOR," filed on May 27, 2005 (Atty. Docket No. 101896-346);

12/28/2005 HLE333 00000058 10709019

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U.S. Patent Appl. No. 10/813,904, entitled "HEAD-TO-HEAD CONNECTOR SPINAL FIXATION SYSTEM," filed on March 31, 2004 (Atty. Docket No. 101896-366);

U.S. Patent Appl. No. 11/162,934, entitled "ROD ATTACHMENT FOR HEAD TO HEAD CROSS CONNECTOR," filed on September 28, 2005 (Atty. Docket No. 101896-367).

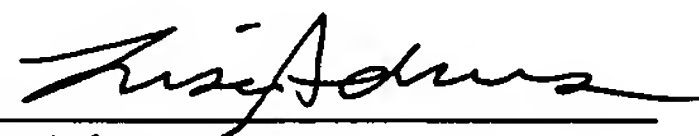
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b).

This Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)). Accordingly, our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-245.

Dated: Dec. 22, 2005

Respectfully submitted,

By 
Lisa Adams
Registration No.: 44,238

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155 Seaport Boulevard
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Attorney for Applicant



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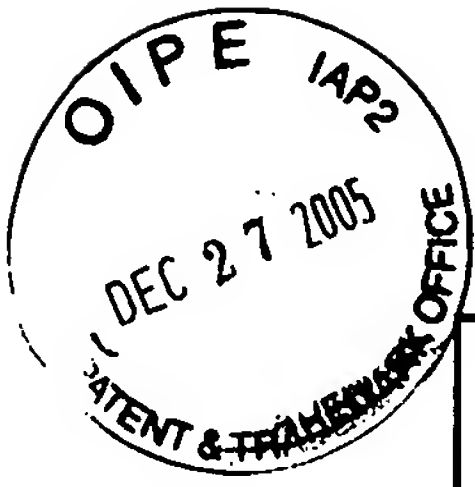
Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/709,019-Conf. #3018
TOTAL AMOUNT OF PAYMENT (\$) 180.00		Filing Date	April 7, 2004
		First Named Inventor	Nam T. Chao
		Examiner Name	A. Reimers
		Art Unit	3731
		Attorney Docket No.	101896-0245

METHOD OF PAYMENT (check all that apply)	
<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input type="checkbox"/> Deposit Account Deposit Account Number: <u>141449</u> Deposit Account Name: _____	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
2. EXCESS CLAIM FEES							
						Fee (\$)	<u>Small Entity</u> Fee (\$)
Fee Description							
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
_____ - = _____		x _____	= _____	_____	Fee (\$)	Fee Paid (\$)	_____
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - = _____		x _____	= _____	_____			
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)	
_____ - 100 = _____		/50	_____ (round up to a whole number) x		_____	= _____	
4. OTHER FEE(S)							
						Fees Paid (\$)	
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): <u>1806 Submission of an Information Disclosure Statement</u>						<u>180.00</u>	

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	44,238
Name (Print/Type)	Lisa Adams	Telephone	(617) 439-2000
		Date	December 22, 2005

Fee Transmittal	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Dated: December 22, 2005	Signature: (Lisa Adams)



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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/709,019-Conf. #3018
				Filing Date	April 7, 2004
				First Named Inventor	Nam T. Chao
				Art Unit	3733
				Examiner Name	A. Reimers
Sheet	1	of	5	Attorney Docket Number	101896-0245

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-20020169448-A1	11-14-2002	Vanacker	
	AB*	US-20040006342-A1	01-08-2004	Altarac et al.	
	AC*	US-20040049188-A1	03-11-2004	Slivka et al.	
	AD*	US-20040087949-A1	05-06-2004	Bono et al.	
	AE*	US-20050228377-A1	10-13-2005	Chao et al.	
	AF	US-596,729	01/1898	White	
	AG*	US-1,455,441	05/1923	LA Hodny William	
	AH*	US-3,019,504	02/1962	Castagliuolo	
	AI*	US-3,752,203	08-14-1973	Hill, Jr.	
	AJ*	US-4,085,744	04-25-1978	Lewis et al.	
	AK*	US-4,289,124	09-15-1981	Zickel	
	AL*	US-4,411,259	10-25-1983	Drummond	
	AM*	US-4,611,581	09-16-1986	Steffee	
	AN*	US-4,648,388	03-10-1987	Steffee	
	AO*	US-4,655,199	04-07-1987	Steffee	
	AP*	US-4,696,290	09-29-1987	Steffee	
	AQ*	US-4,763,644	08-16-1988	Webb	
	AR*	US-4,773,402	09-27-1988	Asher et al.	
	AS*	US-4,815,453	03-28-1989	Cotrel	
	AT*	US-4,913,134	04-03-1990	Luque	
	AU*	US-4,957,495	09-18-1990	Kluger	
	AV*	US-5,005,562	04-09-1991	Cotrel	
	AW*	US-5,024,213	06-18-1991	Asher et al.	
	AX*	US-5,067,955	11-26-1991	Cotrel	
	AY*	US-5,092,893	03-03-1992	Smith	
	AZ*	US-5,113,685	05-19-1992	Asher et al.	
	AA1*	US-5,120,171	06-09-1992	Lasner	
	AB1*	US-5,129,900	07-14-1992	Asher et al.	
	AC1*	US-5,147,359	09-15-1992	Cozad et al.	
	AD1*	US-5,154,718	10-13-1992	Cozad et al.	
	AE1*	US-5,176,680	01-05-1993	Vignaud et al.	
	AF1*	US-5,207,678	05-04-1993	Harms et al.	
	AG1*	US-5,242,443	09-07-1993	Kambin	
	AH1*	US-5,261,913	11-16-1993	Marnay	
	AI1*	US-5,282,801	02-01-1994	Sherman	
	AJ1*	US-5,306,275	04-26-1994	Bryan	
	AK1*	US-5,360,431	11-01-1994	Puno et al.	
	AL1*	US-5,395,370	03-07-1995	Muller et al.	
	AM1*	US-5,454,812	10-03-1995	Lin	
	AN1*	US-5,476,462	12-19-1995	Allard et al.	
	AO1*	US-5,496,321	03-05-1996	Puno et al.	
	AP1*	US-5,514,132	05-07-1996	Csernatony et al.	
	AQ1*	US-5,527,314	06-18-1996	Brumfield et al.	
	AR1*	US-5,534,002	07-09-1996	Brumfield et al.	
	AS1*	US-5,562,662	10-08-1996	Brumfield et al.	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/709,019-Conf. #3018
				Filing Date	April 7, 2004
				First Named Inventor	Nam T. Chao
				Art Unit	3733
				Examiner Name	A. Reimers
Sheet	2	of	5	Attorney Docket Number	101896-0245

	AT1*	US-5,586,983	12-24-1996	Sanders et al.	
	AU1*	US-5,601,552	02-11-1997	Cotrel	
	AV1*	US-5,616,142	04-01-1997	Yuan et al.	
	AW1*	US-5,624,442	04-29-1997	Mellinger et al.	
	AX1*	US-5,651,789	07-29-1997	Cotrel	
	AY1*	US-5,669,910	09-23-1997	Korhonen et al.	
	AZ1*	US-5,700,292	12-23-1997	Margulies	
	AA2*	US-5,707,372	01-13-1998	Errico et al.	
	AB2*	US-5,709,685	01-20-1998	Dombrowski et al.	
	AC2*	US-5,743,907	04-28-1998	Asher et al.	
	AD2*	US-5,752,955	05-19-1998	Errico	
	AE2*	US-5,885,284	03-23-1999	Errico et al.	
	AF2*	US-5,928,232	07-27-1999	Howland et al.	
	AG2*	US-5,989,250	11-23-1999	Wagner et al.	
	AH2*	US-6,063,089	05-16-2000	JOSEPH ERRICO	
	AI2*	US-6,126,660	10-03-2000	Dietz	
	AJ2*	US-6,139,548	10-31-2000	Errico	
	AK2*	US-6,273,888-A1	08-14-2001	Justis	
	AL2*	US-6,287,309	09-11-2001	Bacelli et al.	
	AM2*	US-6,315,779	11-13-2001	Morrison et al.	
	AN2*	US-6,554,832-A1	04-29-2003	Shluzas	
	AO2*	US-6,641,583-A1	10-03-2002	Shluzas et al.	
	AP2*	US-6,958,066-A1	08-14-2003	Richelsoph et al.	
	AQ2*	US-6,689,133	02-28-2002	Matthew Morrison	
	AR2*	US-6,283,967	09-04-2001	Troxell et al.	
	AS2*	US-6,234,705	05-22-2001	Troxell	
	AT2*	US-6,136,003	10-24-2000	Hoeck et al.	
	AU2*	US-6,113,600	09-05-2000	Drummond et al.	
	AV2*	US-6,083,226	07-04-2000	Fiz	
	AW2*	US-5,947,966	09-07-1999	Drewry et al.	
	AX2*	US-5,899,903	05-04-1999	Cotrel	
	AY2*	US-5,776,135	07-07-1998	Errico et al.	
	AZ2*	US-5,743,911	04-28-1998	Cotrel	
	AA3*	US-5,716,355	02-10-1998	Jackson et al.	
	AB3*	US-5,709,684	01-20-1998	Errico et al.	
	AC3*	US-5,704,936	01-06-1998	Mazel	
	AD3*	US-5,667,507	09-16-1997	Corin et al.	
	AE3*	US-5,662,853	09-02-1997	Hattori et al.	
	AF3*	US-5,630,816	05-20-1997	Kambin	
	AG3*	US-5,620,444	04-15-1997	Assaker	
	AH3*	US-5,609,592	03-11-1997	Brumfield et al.	
	AI3*	US-5,591,165	01-07-1997	Jackson	
	AJ3*	US-5,562,663	10-08-1996	Wisnewski et al.	
	AK3*	US-5,549,607	08-27-1996	Olson et al.	
	AL3*	US-5,531,745	07-02-1996	Ray	
	AM3*	US-5,522,816	06-04-1996	Dinello et al.	
	AN3*	US-5,487,742	01-30-1996	Cotrel	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete If Known	
				Application Number	10/709,019-Conf. #3018
				Filing Date	April 7, 2004
				First Named Inventor	Nam T. Chao
				Art Unit	3733
				Examiner Name	A. Reimers
Sheet	3	of	5	Attorney Docket Number	101896-0245

	AO3*	US-5,470,333	11-28-1995	Ray	
	AP3*	US-5,439,463	08-08-1995	Lin	
	AQ3*	US-5,423,818	06-13-1995	Van Hoeck et al.	
	AR3*	US-5,403,316	04-04-1995	Ashman	
	AS3*	US-5,368,594	11-29-1994	Martin et al.	
	AT3*	US-5,334,203	08-02-1994	Wagner	
	AU3*	US-5,312,405	05-17-1994	Korotko et al.	
	AV3*	US-5,275,600	01-04-1994	Allard et al.	
	AW3*	US-5,234,431	08-10-1993	Keller	
	AX3*	US-5,190,543	03-02-1993	Schlapfer	
	AY3*	US-5,176,678	01-05-1993	Tsou	
	AZ3*	US-5,147,360	09-15-1992	Dubousset	
	AA4*	US-5,133,716	07-28-1992	Plaza	
	AB4*	US-5,127,912	07-07-1992	Ray et al.	
	AC4*	US-5,116,334	05-26-1992	Cozad et al.	
	AD4*	US-5,102,412	04-07-1992	Rogozinski	
	AE4*	US-5,030,220	07-09-1991	Howland	
	AF4*	US-5,010,879	04-30-1991	Moriya et al.	
	AG4*	US-5,002,542	03-26-1991	ROBERT FRIGG	
	AH4*	US-4,950,269	08-21-1990	Gaines, Jr.	
	AI4*	US-4,887,595	12-19-1989	Heinig et al.	
	AJ4*	US-4,805,602	02-21-1989	Puno et al.	
	AK4*	US-4,771,767	09-20-1988	ARTHUR D. STEFFEE	
	AL4*	US-4,719,905	01-19-1988	Steffee	
	AM4*	US-4,658,809	04-21-1987	Ulrich et al.	
	AN4*	US-4,653,481	03-31-1987	Howland et al.	
	AO4*	US-4,641,636	02-10-1987	Cotrel	
	AP4*	US-4,611,580	09-16-1986	Wu	
	AQ4*	US-4,404,967	09-20-1983	Bacal et al.	
	AR4*	US-4,179,905	12-25-1979	Schultenkamper	
	AS4*	US-4,011,602	03-15-1977	Rybicki et al.	
	AT4*	US-3,499,222	03/1970	Linkow et al.	
	AU4*	US-2,638,301	05-12-1953	Smith	
	AV4	US-900,717	10/1908	Feaster	
	AW4	US-483,342	09/1892	Bolte	
	AX4	US-180,881	08/1876	Howson	
	AY4*	US-20050228326-A1	10-13-2005	Kalfas et al.	
	AZ4*	US-20040039385	02-26-2004	Keyvan Mazda	
	AA5*	US-20030045874-A1	03-06-2003	Thomas	
	AB5*	US-20020111625-A1	08-15-2002	Richelsoph et al.	
	AC5*	US-4,611,582	09-16-1986	Duff	
	AD5*	US-20050090821-A1	04-28-2005	Berrevoets et al.	

Examiner Signature		Date Considered	
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				Art Unit	3733
				Examiner Name	A. Reimers
Sheet	4	of	5	Attorney Docket Number	101896-0245

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² -Number ⁴ -Kind Code ⁵ (if known)				
	BA	EP-0820722	01-28-1998	Societe Etudes et Developpements		
	BB	FR-2,697,743	05-13-1994	Fabrication Material Orthopediques		√
	BC	JP-2000-033091	02-02-2000	Solco Surgical Instrument Co.		
	BD	WO-91/16020	10-24-1991	Johnson Service Co.		
	BE	EP-0956829	11-17-1999	Howmedica GmbH		
	BF	EP-0878170	11-18-1998	Surgical Dynamics, Inc.		√
	BG	FR-2,645,427	10-12-1990	Cotrel Yves		√
	BH	EP-0242708	10-28-1987	Harms Jurgen		
	BI	DE-3639810	05-26-1988	Ulrich Heinrich		√
	BJ	SU-286136	11/1970			
	BK	JP-11-244299	09-14-1999	Robert Reed Shokai		
	BL	SU-1823791	06/1993			
	BM	DE-867422	02-16-1953	Dr. Abel Alfred		√
	BN	GB-2173104	10-08-1986	Peter John Webb		
	BO	FR-2,816,195		Taylor et al. w/English abstract		
	BP	FR-2,795,622	01-01-2005	Gerard Vanacker		√
	BQ	WO-90/04948	05-17-1990	Surgicarpt Ltd.		
	BR	WO-00/57801	10-05-2000	Surgical Dynamics, Inc.		
	BS	DE-3219575	12-01-1983	Patrick Kluger		√
	BT	DE-4330837	03-16-1995	Michael Hahn		√
	BU	WO-95/13754	05-26-1995	Cross Medical Products Inc.		
	BV	GB-2208476	04-05-1989	Mehdian Seved Mohammed		
	BW	FR-2,624,720	06/1989	Fabrication Materiel Orthopedi		
	BX	WO-00/59387	10-12-2000	Synthes AG (CH)		
	BY	WO-87/00160	01-15-1987	Svenka Utvecklings AB		
	BZ	GB-167228	07-26-1921	Stanley Watkin Darker		√
	BA1	EP-0128058	12-12-1984	Cotrel		
	BB1	WO-01/24718	04-12-2001	Blackstone Medical		
	BC1	FR-2,714,590	07-07-1995	Jean Pierre Lenfant		√
	BD1	WO-01/01872	01-11-2001	Vanacker, Gerard		√
	BE1	EP-0956829	11-17-1999	Howmedica GmbH		√

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Sheet	5	of	5	Attorney Docket Number	101896-0245

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	CA	Asher, et al., "A Modular Spinal Rod Linkage System to Provide Rotational Stability", SPINE, Volume 13, Number 3, pages 272-277, 1998		
	CB	Carson et al., "Internal Forces and Moments in Transpecular Spine Instrumentation", SPINE, Volume 15, Number 9, pages 893-901		
	CC	Martin H. Krag, "Biomechanics of Thorocolumbar Spinal Fixation," SPINE, Volume 16, Number 3, Supplement, pages S84-S99 (1991)		
	CD	Lim, et al., "Biomechanics of Transfixation in Pedicle Screw Instrumentation", SPINE, Volume 21, Number 19, pages 2224-2229, 1996		
	CE	Bick et al., "Mechanical Evaluation of Cross-Link Designs in Rigid Pedicle Screw Systems", SPINE, Volume 22, Number 4, pages 370-375, 1997.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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